

571—17.10(461A) Application. An applicant for a lease, or a renewal of a lease, shall submit an application to the department on forms provided by the department.

17.10(1) Applicant. An applicant for a lease must be a person and an operator as defined in these rules.

17.10(2) Content of application. The following shall be included in the application:

a. A fee of \$500 for the cost of review of the lease application for a previously unleased site. Prior to issuance of a lease, the applicant shall pay the department an additional \$500 fee for administration of the lease.

b. A fee of \$1,000 for the cost of, and issuance and administration of a renewal lease.

c. Applicant name, address, telephone number, state of incorporation (if applicable) and whether the application is for a new lease or renewal.

d. A map extending at least one-half mile upstream and downstream from the proposed fleeting area showing the location of the proposed fleeting area by section, township, range, county and river mile and by major identifiable features in the immediate area such as locks and dams, incorporated areas, roads, bridges, and county lines. The map shall indicate designated fish and wildlife areas and refuges; existing recreational areas; historical, archeological and cultural sites, if known; residential housing locations; and existing adjacent water or shoreland uses which, together with fleeting operations, would present an unusual risk of fire, explosion, collision, contamination or other serious safety hazards. The map shall also show the following navigation-related features:

- (1) Docks.
- (2) Landings.
- (3) Harbors.
- (4) Marinas.
- (5) Dikes.
- (6) Revetments.
- (7) Islands.
- (8) Navigation or warning lights.
- (9) Wing dams.
- (10) Submerged cable and pipeline crossings.
- (11) Overhead power and utility lines.

e. Name, address, and telephone number of each riparian property owner adjacent to the fleeting area.

f. Proof that the applicant has riparian property rights on the navigable waterway adjacent to the entire area of the proposed fleeting area. Proof may include fee simple title, a lease of riparian or mooring rights from the riparian property owner, or written permission from the riparian property owner. In lieu of written permission, the applicant shall certify that the applicant has notified the riparian property owners of the proposed establishment of a fleeting area. Notification to riparian property owners shall be on forms furnished by the department and sent by certified mail. The riparian property owner shall respond to the department in writing within 30 days of receipt of notice if the riparian property owner objects to the issuance of a lease. The riparian property owner shall state the basis for objection in the response. The department shall consider the effects of lease issuance on the riparian property owner's rights. The department shall be notified by the operator of any action to terminate a lease or written permission.

g. A drawing of the proposed fleeting area which contains the following: plan view and cross sections to show existing pertinent topographic and hydrographic features; referenced government datum plane; scale, both vertical and horizontal (not smaller than 1" = 400' horizontal); north arrow; river current directions; property lines and adjacent property owners by name; proposed features including dolphins, anchors, deadmen, mooring barges, mooring cells and buoys, and other devices; mooring facility size and configuration; the maximum number and size of barges to be moored; and routes used by any tow entering or leaving the fleeting area.

h. Documentation of the need for the size, capacity, and location of the fleeting area for which a lease is requested.

i. A list of alternate sites considered and a statement of the reasons the requested site is preferred.

j. Signature of applicant or authorized agent.